Department of Energy

INVITATION TO BID

Pursuant to Republic Act 11646, otherwise known as, *"An Act Promoting The Use Of Microgrid Systems To Accelerate The Total Electrification Of Unserved And Underserved Areas Nationwide"* and the Department of Energy (DOE) Circular Number DC2022-05-0017 entitled *"Rules and Regulations to Implement Republic Act 11646"*, **the DOE hereby invites interested and qualified parties to participate in the conduct of Competitive Selection Process (CSP) for the Microgrid Systems Provider (MGSP)** in the areas identified in **Annex A** of this Invitation to Bid (ITB).

A. SERVICES REQUIRED

Construction, Installation, Maintenance, and Operations, including Associated Services, such as Customer Billing and Collections, of Microgrid Systems to provide 24/7 electricity services for all existing and projected households in the selected area from **Annex A** of this ITB. For clarity, all references for the responsibilities of an MGSP shall be at all times referred to the provisions of RA 11646 and DC2022-05-0017.031

B. TERMS OF REFERENCE

The pre-qualification, submission of bids, evaluation and awards shall be in accordance with the attached terms of reference consistent with the provisions of RA 11646 and DC2022-05-0017.

C. ELIGIBILITY REQUIREMENTS FOR PRE-QUALIFICATION OF INTERESTED BIDDERS

Parties interested to bid ("Interested Bidders") for the conduct of MGSP-CSP shall be required to comply with the following eligibility requirements:

1. **Notarized Expression of Interest (EOI)**
2. **For Individual or Proprietorship legal documents**
    i. Original or PSA Certified copy of Birth Certificate issued by the Philippines Statistics Authority
    ii. Certified true copy of current business permit of the City or Municipality of the Company where the principal office is located
    iii. Certified true copy of Department of Trade and Industry (DTI) Registration (if applicable)
    iv. Original Copy of Special Power of Attorney to Negotiate and Enter into MGSP Service Contract with National Power Corporation

3. **For Corporation / Joint Venture / Consortium / Cooperative legal documents**
    i. Original SEC- Certified or CDA-Certified or NEA- Certified of By-Laws (BL) and Articles of Incorporation (AOI) of its corporate stockholders
    ii. Certified True Copy of Securities and Exchange Commission (SEC) Registration
    iii. Original Copy of Board Resolution authorizing its representative to negotiate and enter into MSC with the DU/NPC
    iv. Certified True Copy of SEC Received of Latest General Information Sheet (GIS) of its corporate stockholders or its equivalent
    v. Certified True Copy of Current Business Permit of the City or Municipality of the principal office.

4. **Certified True Copy of Passport ID or any valid government-issued ID of the authorized representatives.**

All submissions by Interested Bidders of EOI and the complete eligibility requirements shall be enclosed in a sealed envelope and labelled as **EOI for MGSP-CSP** and should be addressed to:

Undersecretary Giovanni Carlo J. Bacordo
Chairperson
MGSP-Special Bids and Awards Committee (SBAC)
Department of Energy
Energy Center, Rizal Drive cor. 34th Street, Bonifacio Global City,
Taguig City, Philippines 1632

The deadline for submission shall be no later than 5:00PM on 15 November 2023, Manila Time. Late submissions will not be accepted.

Submission shall be received and stamped by DOE Records Management Division located at the DOE Main Building Annex Lobby of the above address. The DOE Records Management Division shall safekeep the received submission in a sealed containment for endorsement to MGSP – SBAC Chairperson on **16 November 2023**.

All EOIs should be accompanied by a non-refundable Bid Participation Fee of PhP 100,000.00 regardless of the number of lots a bidder wishes to participate in.

The DOE accepts payment for the bidding documents through bank payment (Landbank of the Philippines) with the following details and a copy of payment receipt must be emailed to mgsp@doe.gov.ph:

Payment for	:	MGSP CSP (Lot No)
Payee Account Name	:	DOE Trust Fund
Account Number	:	0052-1155-58
Swift Code	:	TLBPPHMM
Beneficiary Address	:	Department of Energy, Energy Center, BGC, Taguig City

Interested Bidders intending to enter into a Joint Venture Agreement (JVA) may indicate the same in the EOI subject to post-qualification requirements.

D. CONDUCT OF PRE-QUALIFICATION

The pre-qualification shall be conducted by the MGSP-SBAC on **16 November 2023, 10:00 AM** DOE Audio Visual Room (AVR).

All Interested Bidders shall be notified of their pre-qualification status no later than **21 November 2023.**

E. SUBMISSION OF COMPLETE PROPOSAL

All Pre-qualified Interested Bidders shall submit their complete proposal and requirements, including an accomplished checklist of compliance on the minimum requirements of Terms of Reference, in one (1) original and two (2) duplicate hard copies. Each set of proposals shall be enclosed in a sealed envelope labeled as follows:

1. **MGSP-CSP Bid Proposal for [Lot No.] – Technical Proposal (Original, Duplicate 1, Duplicate 2)** and;
2. **MGSP-CSP Bid Proposal for [Lot No.] – Financial Proposal (Original, Duplicate 1, Duplicate 2)**

All proposals shall be addressed to:

Undersecretary Giovanni Carlo J. Bacordo
MGSP-SBAC Chairperson
Department of Energy
Energy Center, Rizal Drive cor. 34th Street, Bonifacio Global City,
Taguig City, Philippines 1632

The deadline of submission shall be no later than **9:00AM of 27 December 2023**, Manila Time. Late submissions will not be accepted.

Submission shall be received and stamped by DOE Records Management Division at DOE Main Building Annex Lobby of the above address. The DOE Records Management Division shall safekeep the received submission in sealed containment which will be opened only by the designated MGSP-SBAC representative during the Opening of Bids scheduled on the same date at the DOE – Audio Visual Room (AVR).

F. BID SECURITY

A complete set of Bid Proposal submitted shall be accompanied with a Bid Security in the form of a Bid Securing Declaration duly notarized per lot by the Pre-qualified Interested Bidders, using the form as provided for under **Annex B** of this ITB

The Bid Proposal and bid security shall be valid for **one hundred twenty (120)**

calendar days from the date of opening of bids. Any Bid not accompanied by an acceptable bid security shall be rejected by the DOE MGSP SBAC as non-responsive.

G. GUIDELINES ON THE USE OF BID SECURING DECLARATION

The Bid-Securing declaration will be invoked in the event that a bidder engages in any action leading to the forfeiture of the bid security with corresponding penalty as provided for in the **Annex C**, Guidelines on the Use of the Bid Securing Declaration of this ITB.

H. SUBMISSION OF WRITTEN QUERIES OR CLARIFICATIONS

1. The MGSP-SBAC shall receive written queries or clarifications from pre-qualified bidders no later than 24 November 2023 to be emailed to mgsp@doe.gov.ph.

2. The MGSP SBAC shall reply to the written queries or clarifications of the MGSP Proponents in the form of Supplemental/Bid Bulletins to be posted at the DOE website no later than **29 November 2023**.

I. CONDUCT OF PRE-BID CONFERENCE

1. Prior to the deadline submission of the Opening of bid proposal, the DOE will hold a Pre-Bid Conference on **29 November 2023** at **9:00 AM** at DOE – AVR, DOE Main Office.

2. If the Pre-qualified Interested Bidders have constraints, they have the option to attend the Pre-bid Conference through Video Conferencing using MS Teams, prospective bidders are advised to download MS Teams app prior to the date of the Pre-bid Conference.

3. The Pre-qualified Interested Bidders are required to submit the following information through MSGP email address mgsp@doe.gov.ph not later than **28 November 2023**:

    a. Complete Name;
    b. Company Name;
    c. Company Address;
    d. Active email address where the where the invitation/link will be sent and;
    e. Contact details

4. The MGSP SBAC shall document the proceeding of the pre-bid conference and shall post at the DOE website the corresponding Supplemental/Bid Bulletins by **07 December 2023.**

J. OPENING OF COMPLETE BID PROPOSAL

1. The Bid opening shall be on **27 December 2023, 10:00 AM** at **DOE – AVR, DOE-Main Building**. Bids will be opened in the presence of the bidders' representatives.

2. Only the **Bidder's authorized representative, as stated in the bid submission, is required to attend the Bid Opening**. Attendees at the Bid Opening shall be subject to the DOE Protocol for Visitors. The visitors who show signs of COVID-19-related symptoms such as cough, flu, fever, high body temperature, and sneezing are advised not to proceed to DOE since they will not be allowed to enter the DOE compound. Virtual participation in the opening bids for Bidders can be witnessed through the MS Teams platform.

3. If the Bidders have constraints, they have the option to attend the Opening of Bids through Video conferencing using MS Teams subject to submission of required information in Section I, Item 3 of this ITB, to be submitted not later than 26 December 2023.

4. To minimize errors in the preparation of bids, bidders are strongly encouraged to send the person or representative who prepared their corresponding bids to attend/participate in the Pre-bid Conference. The bidders' representatives shall carefully consider all the discussions during the Pre-bid Conference and be guided by them in the preparation of bids.

5. Official communication or notification shall be sent through the official email provided by the Bidders and are considered official and duly received by the Bidders even without confirmation of such receipt.

K. RIGHT-TO-TENDER LOWER ALL-IN PRICE OFFER

Pursuant to Section 13.4.4, the DU MGSP, if any, shall have the right-to-tender a lower all-in price offer within seven (7) calendar days after the determination by the MGSP-SBAC of the winning Bidder. This provision shall be automatically invoked by the MGSP-SBAC in case the franchise DU MGSP participated in the MGSP - CSP and has been evaluated to be technically and financially capable to implement the Microgrid System and has submitted the complete proposal and requirements.

If the DU MGSP fails to match the price offer of the winning Bidder, the MGSP-SBAC shall endorse to the DOE Secretary the approval and signing of the Notice of Award to the winning Bidder.

The results of the MGSP CSP shall be posted consequently at the DOE website.

L. TENTATIVE SCHEDULES AND DEADLINES

Upon due notice to Qualified Bidders, the MGSP-SBAC reserves the right to amend and/or change the indicative schedule below and will be announced through Bid Bulletins, as follows:

ACTIVITIES	INDICATIVE SCHEDULES
Publication of Invitation to Bid	27 October 2023
Deadline of Submission of Expression of Interest	15 November 2023
Pre-Qualification Opening of Expression of Interest	17 November 2023
Notification of Pre-qualified Interested Bidder	21 November 2023
Deadline of Submission of Queries or Clarification on the Bidding	24 November 2023
Pre-Bid Conference	29 November 2023
Deadline of Submission of Complete Proposal and Opening of Bids	27 December 2023
Evaluation of Bids, Post-Qualification and Determination of the Winning MGSP	28 December 2023 – 20 February 2024
Right-to-Tender Lower All-in Price Offer by the DU MGSP, if any	21-27 February 2024
Endorsement of Winning MGSP	28 February 2024
Issuance of Notice of Award	12 March 2024

For further information, please refer to:

Engr. Maureen Q. Artais
Head, MGSP SBAC-Secretariat
Department of Energy
4F DOE Main Building, Energy Center,
Rizal Drive, Bonifacio Global City
Taguig City, Philippines 1632
Email address: mgsp@doe.gov.ph
Telephone: (02) 8479-2900 local 348
Website: www.doe.gov.ph

Usec. Giovanni Carlo J. Bacordo
Chairperson, MGSP SBAC

Annex A. Unserved And Underserved Areas Target Household Electrification

Lot No.	Distribution Utility	Major Island	Region	Province	Municipality	Barangay	Sitio	No. of HHs	Year of Priority	Potential Households
1	CANORECO	Luzon	V	Camarines Norte	Paracale	Macolabo Island	Purok 1	215	2025	230
	CANORECO	Luzon	V	Camarines Norte	Paracale	Macolabo Island	Purok 2		2025	
	CANORECO	Luzon	V	Camarines Norte	Paracale	Macolabo Island	Purok 3		2025	
	CANORECO	Luzon	V	Camarines Norte	Paracale	Macolabo Island	Purok 4		2025	
2	CANORECO	Luzon	V	Camarines Norte	Mercedes	Quinapaguian	Purok 1	280	2025	300
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Quinapaguian	Purok 2		2025	
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Quinapaguian	Purok 3		2025	
3	CANORECO	Luzon	V	Camarines Norte	Mercedes	Apuao	Purok 1	158	2025	169
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Apuao	Purok 2		2025	
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Apuao	Purok 3		2025	
4	CANORECO	Luzon	V	Camarines Norte	Mercedes	Caringo	Purok 1	385	2025	412
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Caringo	Purok 2		2025	
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Caringo	Purok 3		2025	
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Caringo	Purok 4		2025	
	CANORECO	Luzon	V	Camarines Norte	Mercedes	Caringo	Purok 5		2025	
5	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Barrio Proper I	800	2025	856
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Barrio Proper		2025	
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Daanbarrio		2025	
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Pantao		2025	
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Candionesio		2025	
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Liog-Liog		2025	
	CEBECO II	Visayas	VII	Cebu	Daanbantayan	Carnaza	Linao		2025	
6	CEBECO II	Visayas	VII	Cebu	Medellin	Gibitngil	All Sitios	514	2025	550
7	NOCECO	Visayas	VI	Negros Occidental	Moises Padilla (magallon)	Macagahay	Cupad	200	2025	214
	NOCECO	Visayas	VI	Negros Occidental	Moises Padilla (magallon)	Macagahay	Mantaoyan		2025	
8	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Orong	Purok 1, Marinay	175	2025	187
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Orong	Purok 2, Marinay		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Orong	Purok 3, Marinay		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Orong	Purok 4, Tambulogan		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Orong	Purok 6, Marinay		2025	
9	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Amihan	540	2025	578
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Baye		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Buko		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Bunsad		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Kalangkang		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Kambu-alaw		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Malagapas		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Manulaya		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Umabay		2025	
10	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Atimon	300	2025	321
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Bahi		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Kalapin-an		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Pangkulan		2025	

Annex A. Unserved And Underserved Areas Target Household Electrification

Lot No.	Distribution Utility	Major Island	Region	Province	Municipality	Barangay	Sitio	No. of HHs	Year of Priority	Potential Households
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Tan-Awan	Tara		2025	
11	NOCECO	Visayas	VI	Negros Occidental	Cauayan	Yao-yao	Culad	180	2025	193
	NOCECO	Visayas	VI	Negros Occidental	Cauayan	Yao-yao	Olomhon		2025	
	NOCECO	Visayas	VI	Negros Occidental	Cauayan	Yao-yao	Polopena		2025	
12	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Carangawan	180	2025	193
	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Namutang		2025	
	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Tangkuban		2025	
13	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Guihoban	240	2025	257
	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Malagikhik		2025	
	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Nabilog		2025	
	NOCECO	Visayas	VI	Negros Occidental	Binalbagan	Amontay	Nabirasan		2025	
14	NOCECO	Visayas	VI	Negros Occidental	Isabela	Makilignit	Namutang	220	2025	235
	NOCECO	Visayas	VI	Negros Occidental	Isabela	Makilignit	Tungatungahan		2025	
	NOCECO	Visayas	VI	Negros Occidental	Isabela	Riverside	Paganpan		2025	
15	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Carol-an	Anahaw	200	2025	214
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Carol-an	Mabaho		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Carol-an	Malansa		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Carol-an	Manlawaan		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Kabankalan	Carol-an	Nayang		2025	
16	NOCECO	Visayas	VI	Negros Occidental	City of Sipalay	Maricalum	Mayha	354	2025	379
	NOCECO	Visayas	VI	Negros Occidental	City of Sipalay	Maricalum	Montay		2025	
	NOCECO	Visayas	VI	Negros Occidental	City of Sipalay	Maricalum	Tanusan		2025	
17	QUEZELCO II	Luzon	IV	Quezon	Burdeos	Cabungalunan	Proper	295	2025	316
18	QUEZELCO II	Luzon	IV	Quezon	Burdeos	Carlagan	Proper	502	2025	537
19	QUEZELCO II	Luzon	IV	Quezon	Burdeos	Rizal	Bongliw	604	2025	646
20	PALECO	Luzon	IV-B	Palawan	Araceli	Osmeña	Proper	234	2025	250
21	PALECO	Luzon	IV-B	Palawan	Agutaya	Algeciras	Algeciras Island	1,137	2025	1,217
22	PALECO	Luzon	IV-B	Palawan	Agutaya	Diit	Diit Island	295	2025	316
23	PALECO	Luzon	IV-B	Palawan	Agutaya	Matarawis	Matarawis Island	84	2025	90
24	PALECO	Luzon	IV-B	Palawan	Araceli	Madoldolon	Proper	205	2025	219
25	PALECO	Luzon	IV-B	Palawan	Araceli	Balogo	Proper	178	2025	190
26	PALECO	Luzon	IV-B	Palawan	Araceli	Mauringuen	Proper	224	2025	240
27	PALECO	Luzon	IV-B	Palawan	Araceli	San Jose De Oro	Proper	152	2025	163
28	PALECO	Luzon	IV-B	Palawan	Araceli	Santo Niño	Proper	163	2025	174
29	PALECO	Luzon	IV-B	Palawan	Araceli	Taloto	Proper	142	2025	152
30	PALECO	Luzon	IV-B	Palawan	Araceli	Dalayawon	Proper	120	2025	128

Annex A. Unserved And Underserved Areas Target Household Electrification

Lot No.	Distribution Utility	Major Island	Region	Province	Municipality	Barangay	Sitio	No. of HHs	Year of Priority	Potential Households
31	PALECO	Luzon	IV-B	Palawan	Araceli	Lumacad	Proper	134	2025	143
32	PALECO	Luzon	IV-B	Palawan	Cuyo	Caponayan	Caponayan Island	261	2025	279
33	PALECO	Luzon	IV-B	Palawan	Cuyo	Lubid	Lubid Island	207	2025	221
34	PALECO	Luzon	IV-B	Palawan	Dumaran	Bacao	Proper	505	2025	540
35	PALECO	Luzon	IV-B	Palawan	Dumaran	Calasag	Proper	75	2025	80
36	PALECO	Luzon	IV-B	Palawan	Dumaran	Catep	Proper	205	2025	219
37	PALECO	Luzon	IV-B	Palawan	Dumaran	San Juan	Proper	228	2025	244
38	PALECO	Luzon	IV-B	Palawan	Balabac	Agutayan	Daya	174	2025	186
39	PALECO	Luzon	IV-B	Palawan	Balabac	Catagupan	Proper	547	2025	585
40	PALECO	Luzon	IV-B	Palawan	Balabac	Salang	Proper	503	2025	538
41	PALECO	Luzon	IV-B	Palawan	Agutaya	Concepcion		393	2025	420
42	MASELCO	Luzon	V	Masbate	Placer	Guin-Awayan		437	2025	468
43	MASELCO	Luzon	V	Masbate	Placer	Naboctot		302	2025	323
44	MASELCO	Luzon	V	Masbate	San Pascual	Cueva		611	2025	654
45	MASELCO	Luzon	V	Masbate	San Pascual	Ki-Buaya (Rizal)		199	2025	213
46	MASELCO	Luzon	V	Masbate	San Pascual	Mabini		374	2025	400
47	MASELCO	Luzon	V	Masbate	San Pascual	Mapanique		454	2025	486
48	MASELCO	Luzon	V	Masbate	San Pascual	Quintina		396	2025	424
49	MASELCO	Luzon	V	Masbate	San Pascual	San Jose		364	2025	389

ANNEX B

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.
x----------x

BID-SECURING DECLARATION
Invitation to Bid/Request for Expression of Interest No.1 : MGSP CSP[Lot No. X]

To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.

2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a minimum period of two (2) years upon advise by the MGSP SBAC; and, (b) I/we will pay the applicable fine provided under Annex C - Guidelines on the Use of Bid Securing Declaration if I/we have committed any of the following actions:

   (i) Withdrawn my/our Bid during the period of bid validity required in the Bidding Documents; or

   (ii) Fail or refuse to accept the award and enter into contract or perform any and all acts necessary to the execution of the Contract, in accordance with the Bidding Documents after having been notified of your acceptance of our Bid during the period of bid validity.

3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:

   (a) Upon expiration of the bid validity period or any extension thereof pursuant to your request;

   (b) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of [month] [year] at [place of execution].

[Insert NAME OF BIDDER'S AUTHORIZED REPRESENTATIVE]
[Insert signatory's legal capacity]
Affiant

SUBSCRIBED AND SWORN to before me this __ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on _____ at _____.

Witness my hand and seal this ___ day of [month] [year].

NAME OF NOTARY PUBLIC
Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. __, [date issued], [place issued]
IBP No. __, [date issued], [place issued]

Doc. No. ___
Page No. ___
Book No. ___
Series of ____.

ANNEX C

GUIDELINES ON THE USE OF THE BID SECURING DECLARATION

1. GUIDING PRINCIPLES

In order to enhance competition and bidders' participation, reduce transactional costs, and promote economy in procurement activities of the government, the use of a Bid Securing Declaration shall be an alternative to the existing forms of bid security under the conduct of the Competitive Selection Process for Microgrid System Providers.

2. DEFINITION

2.1. Bid Securing Declaration is an undertaking by a pre-qualified bidder, committing to pay the corresponding fine and be suspended for a period of time from being qualified to participate in any government procurement activity in the event it violates any of the conditions stated therein.

2.2. The Bid Securing Declaration shall comply with the standard format attached hereto as Annex "B" and shall be submitted to the Department of Energy along with the submission of its respective bid proposal.

3. PERIOD OF EFFECTIVITY

3.1. The Bid Securing Declaration shall be valid for a reasonable period determined by the Head of the Procuring Entity concerned and indicated in the bidding documents, which in no case shall exceed ninety (90) calendar days from the date of the opening of bids, unless duly extended by the bidder upon the request of the Microgrid System Provider - Special Bids and Awards Committee (MGSP-SBAC).

3.2. The Bid Securing Declaration shall automatically expire in the following instances:

- **a.** Upon expiration of the bid validity period, or any extension of the Bid Security;
- **b.** When all bidders are declared ineligible or post-disqualified and, upon receipt of the notice therefor, either failed to timely file a request for reconsideration or filed a waiver to avail of said right;
- **c.** When the bidder declared as the Lowest Calculated and Responsive Bidder signed the MSC contract, filed the same for the ERC approval and furnished the performance security.

4. ACTS CORRESPONDING TO FORFEITURE AND COLLECTION OF BID SECURITY

The following acts shall invoke the collection of the Bid Security amount declared under the Bid Securing Declaration:

a. Declaration by the Bidder of its intent to withdraw from the CSP after it has

submitted the Bid Proposal.

b. Withdrawal of a bid, or refusal to accept an award, or enter into contract with the Government without justifiable cause, after he had been adjudged as having submitted the Lowest Calculated Responsive Bid.
c. Non-submission within five (5) calendar days from receipt by the bidder of the notice from the SBAC that the bidder has the Lowest Calculated Responsive Bid of the latest income and business tax returns, and other post-qualification requirements.
d. Any finding against the veracity of any of the documents submitted was made by the SBAC.
e. Allowing the use of one's name, or using the name of another for purposes of competitive bidding
f. Failure to post the required performance security within the prescribed time
g. Failure to clarify or validate in writing its bid during post-qualification within a period of seven (7) calendar days from receipt of the request for clarification.
h. Any documented attempt by a bidder to unduly influence the outcome of the bidding in his favor.
i. All other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding, submitting late Bids or patently insufficient bid, for at least three (3) times within a year, except for valid reasons.

5. PENALTIES

Engaging in any of the acts specified in Item 4 of this Annex shall warrant the imposition of the following sanctions:

5.1. The penalty entails an automatic disqualification for a minimum period of two (2) years from participating in the conduct of CSP

5.2. The imposition of a fine equivalent to the amount subjected to the following rules:

a. A fixed amount equivalent to two percent (2%) of the total project cost which shall be due and demandable when the MGSP SBAC invokes its Bid Securing Declaration.

b. The bidder shall pay the above-mentioned fine within fifteen (15) days from receipt of the written demand by the MGSP SBAC as a result of the violation of the conditions in the Bid Securing Declaration.

c. The imposition of the foregoing fine is without prejudice to other legal action the government may undertake against the erring bidder.